

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

TONY LEE MUTSCHLER,

Petitioner,

v.

COMMONWEALTH OF PA, et al.,

Respondents.

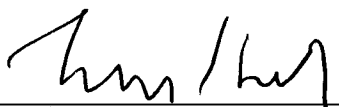
Case No. 3:12-CV-0004

(Judge Kosik)

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ORDER

AND NOW, this 6 day of June, 2012, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation of Magistrate Judge J. Andrew Smyser dated April 11, 2012 (Doc. 20) is ADOPTED;
2. Petitioner's Objections to the Report and Recommendation (Doc. 17) are OVERRULED;
3. Petitioner's Petition for Writ of Habeas Corpus (Doc. 1) is DISMISSED;
4. Petitioner's Motion for Order for Release (Doc. 14) is DENIED;
5. Respondents' Motion to Withdraw as Attorney (Doc. 19) is GRANTED;
6. The Clerk of Court is directed to CLOSE this case, and to FORWARD a copy of this Memorandum and Order to the Magistrate Judge; and
7. Based on the court's conclusions herein, there is no basis for the issuance of a certificate of appealability.


Edwin M. Kosik
United States District Judge